

Message Text

LIMITED OFFICIAL USE

PAGE 01 BOGOTA 09538 251858Z

42

ACTION EB-06

INFO OCT-01 ARA-06 ISO-00 CIAE-00 COME-00 DODE-00 DOTE-00

FMC-01 INR-05 NSAE-00 RSC-01 CG-00 COA-01 DLOS-03

SWF-01 PA-01 USIA-06 PRS-01 SP-02 L-01 PM-03 NSC-05

SS-15 JUSE-00 /059 W

----- 126063

P 251638Z OCT 74

FM AMEMBASSY BOGOTA

TO SECSTATE WASHDC PRIORITY 5446

LIMITED OFFICIAL USE BOGOTA 9538

E.O. 11652: NA

TAGS: PFOR, EWWT, CO

SUBJECT: SEIZURE OF COLOMBIAN GOVERNMENT-OWNED VESSEL

REF: A) STATE 230973

B) BOGOTA 9260

1) WITH REGARD TO TAIRONA CASE, WE WISH TO AGAIN CALL DEPARTMENTS ATTENTION TO FACT THAT FOREIGN MINISTRY ADVISES THAT VESSEL HAS SOVEREIGN IMMUNITY INASMUCH AS IT IS PROPERTY OF COLOMBIAN GOVERNMENT. AS NOTED REFTEL B, TAIRONA IS OWNED BY COMPANIA NACIONAL DE NAVIGACION (NAVENAL), WHICH OPERATES UNDER THE AUSPICES OF THE MINISTRY OF PUBLIC WORKS. SHAREHOLDERS IN NAVENAL ARE MINISTRY OF PUBLIC WORKS, INSTITUTO DE MERCADEO AGROPECUARIO (IDEMA), INSTITUO DE PROMOCION DE EXPORTACIONES (PROEXPO) AND FERRACARRILES NACIONALES. ALL SHAREHOLDERS ARE PART OF GOC.

2) IT IS NOT CLEAR TO US IF NAVENAL ATTORNEY HAS RAISED DEFENSE OF SOVEREIGN IMMUNITY. HOWEVER IF JUDGE ORDERS VESSEL SOLD, WE ANTICIPATE DIPLOMATIC PROTEST FROM GOC.

3) WE WOULD APPRECIATE KNOWING WHETHER SOVEREIGN
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BOGOTA 09538 251858Z

IMMUNITY DEFENSE HAS BEEN RAISED AND WHETHER COURT

HAS REQUESTED DEPARTMENTS OPINION. IF NOT, AND IF GOC
HAS VALID BASIS FOR CLAIM (WE WONDER ABOUT COMMERCIAL
ASPECT OF VESSEL'S OPERATIONS) WOULD IT NOT BE ADVISABLE
FOR DEPARTMENT TO TAKE THE INITIATIVE TO INFORM THE
COURT OF THE SOVEREIGN IMMUNITY ASPECT OF THE CASE
IN AN EFFORT TO AVOID A PROTEST AND PERHAPS EVEN A
CAUSE CELEBRE.
VAKY

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SHIP DETENTION, TAIRONA, COURTS
Control Number: n/a
Copy: SINGLE
Draft Date: 25 OCT 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: shawdg
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974BOGOTA09538
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740305-0987
From: BOGOTA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741017/aaaaaogw.tel
Line Count: 69
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: A) STATE 230973
Review Action: RELEASED, APPROVED
Review Authority: shawdg
Review Comment: n/a
Review Content Flags:
Review Date: 11 SEP 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <11 SEP 2002 by elyme>; APPROVED <05 MAR 2003 by shawdg>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SEIZURE OF COLOMBIAN GOVERNMENT-OWNED VESSEL
TAGS: PFOR, EWWT, CO, US
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005